

CERTIFIED FOR PARTIAL PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

FULLER-AUSTIN INSULATION COMPANY,

Plaintiff and Respondent,

v.

HIGHLANDS INSURANCE COMPANY et al.,

Defendants and Appellants.

B170079

(Los Angeles County
Super. Ct. No. BC116835)

ORDER MODIFYING OPINION
AND DENYING REHEARING

[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on January 19, 2006, be modified as follows:

On page 56, eighth line, at the end of the first paragraph, following the sentence ending “to settle the action,” footnote No. 16 should be added stating: “Louisiana law is in accord. (E.g., *Lafauci v. Jenkins* (La.App. 1 Cir. 2003) 844 So.2d 19, 29; *Rogers v. Government Employees Ins. Co.* (La.App. 3 Cir. 1992) 598 So.2d 670, 672; *Bye v. American Income Life Insurance Company* (La.App. 1975) 316 So.2d 164, 166.)” All subsequent footnotes must be renumbered.

There is no change in the judgment.

Respondent’s petition for rehearing is denied.

BOREN, P. J.

DOI TODD, J.

ASHMANN-GERST, J.